

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

MICHAEL SALAMI et al.,

Plaintiffs,

Case No. 1:20-cv-1245

v.

Honorable Hala Y. Jarbou

UNKNOWN BARTON et al.,

Defendants.

ORDER

This is a civil rights action brought by two state prisoners under 42 U.S.C. § 1983. On January 11, 2021, the Court entered an order requiring that Plaintiff Collier cure a deficiency (ECF No. 4) because he had failed to pay \$201.00, his portion of the \$402.00 civil action filing fees, or to file his trust account statement as required by 28 U.S.C. § 1915(a)(2) to apply to proceed *in forma pauperis*. The Court allowed 28 days for Plaintiff Collier to comply. Plaintiff Collier was warned that if he failed to comply, the Court would presume that he was not proceeding *in forma pauperis*, assess the filing fee and the miscellaneous administrative fee, and dismiss his case for want of prosecution.

More than 28 days have elapsed. Plaintiff Collier failed to pay his \$201.00 share of the civil action filing fees or to submit the trust account statement to apply to proceed *in forma pauperis*. Because Plaintiff Collier has wholly failed to comply with the Court's order, the Court will dismiss him from the case without prejudice for lack of prosecution, and the action will proceed with only Plaintiff Salami's claims. *See In re Alea*, 286 F.3d 378, 380–81 (6th Cir. 2002);

McGore v. Wigglesworth, 114 F.3d 601, 604 (6th Cir. 1997). Plaintiff Collier shall remain liable for his \$201.00 share of the civil action filing fees.

IT IS SO ORDERED.

Dated: April 16, 2021

/s/ Hala Y. Jarbou
HALA Y. JARBOU
UNITED STATES DISTRICT JUDGE

SEND REMITTANCES TO:

Clerk, U.S. District Court
399 Federal Bldg.
110 Michigan St., N.W.
Grand Rapids, MI 49503

All checks or other forms of payment shall be payable to “Clerk, U.S. District Court.”